

*KIRTON LAW FIRM*

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November 29, 2021

VIA ELECTRONIC FILING

Honorable Paul G. Gardephe  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *United States v. Alexei Saab, 19 cr. 676 (PGG)*

Dear Judge Gardephe:

I represent Alexei Saab in the above-referenced matter. This Court set a trial date of January 10, 2022. The Defense requests an adjournment of the trial.<sup>1</sup>

This Court set December 13, 2021, for motions in limine. It will be difficult, if not impossible, for the Defense to file motions in limine with so many issues outstanding. The Defense will be at a significant disadvantage in devising a reasonable trial strategy for a January 10, 2022, trial. The Defense reiterates the same arguments made in its November 8<sup>th</sup> letter and adds two (2) additional factors. First, this Court still has not ruled on the pending pretrial motions. Second, the Defense asked for an opportunity to fully brief any and all Section 4 CIPA issues at a prior conference, and this Court granted the Defense request.<sup>2</sup> The Defense argues that the CIPA briefing schedule would run afoul of the current trial briefing schedule. The Government opposes this request.

Please contact me if you have any questions or concerns.

Sincerely,

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<sup>1</sup> This Court denied the prior Defense request to adjourn the trial.

<sup>2</sup> See Attached Transcript September 18, 2020, page 8, Lines 7-23.

s/Marlon G. Kirton  
Marlon G. Kirton, Esq.

cc: Jason Richman, Assistant United States Attorney (via electronic mail)  
Samuel Adelsberg, Assistant United States Attorney (via electronic mail)  
Esere Onaodowan, Esq. (via electronic mail)

**Memo Endorsed:** The application is denied. In an opinion issued today, the Court has addressed the Defendant's pre-trial motions. The Court will address the Government's application pursuant to CIPA Section 4 in a separate order. As the Court stated on the record at the September 18, 2020 conference, the defense will have an opportunity to respond to that order if the defense deems it necessary.

SO ORDERED.

  
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Paul G. Gardephe  
United States District Judge

Dated: December 10, 2021